

08-27-01

A/Plant

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PTO/SB/19 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PLANT
PATENT APPLICATION
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. PH41

First Named Inventor

Title | Clematis 'Avalanche'

Express Mail Label No. EF 147 832622 VS

ADDRESS TO: **Assistant Commissioner for Patents**
Box Patent Application
Washington, DC 20231

APPLICATION ELEMENTS

See MPEP chapters 600 & 1600 concerning plant patent application contents.

ACCOMPANYING APPLICATION PARTS

1. <input checked="" type="checkbox"/>	Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)
2. <input checked="" type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27.
3. <input checked="" type="checkbox"/>	Specification [Total Pages 7] (2 copies required - 37 CFR 1.163(b) (preferred arrangement set forth below) <ul style="list-style-type: none"> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Latin name of genus and species - Variety denomination - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings - Detailed Botanical Description - Claim (only one (1) permitted MPEP 1605) - Abstract of the Disclosure
4. <input checked="" type="checkbox"/>	Color drawing(s) [Total Sheets 3] (2 copies required - 37 CFR 1.165(b))
5. Oath or Declaration	[Total Pages 2]
a. <input checked="" type="checkbox"/>	Newly executed (original or copy)
b. <input type="checkbox"/>	Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 16 completed)
1. <input type="checkbox"/>	<u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. <input type="checkbox"/>	Application Data Sheet. See 37 CFR 1.76.

7. Assignment Papers (cover sheet & document(s))
8. 37 CFR 3.73(b) Statement Power of
(when there is an assignee) Attorney
9. English Translation Document (*if applicable*)
10. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS
 Citations
11. Preliminary Amendment
12. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. Certified Copy of Priority Document(s)
(If foreign priority is claimed)
14. Nonpublication Request. Applicant must attach form PTO/SB/35 or its equivalent. See 35 U.S.C. 122(b)(2)(B)(i).
15. Other:

Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application:

Print your name in the appropriate box, and Supply the required information below and in the space provided.

Communication DIVISION

Group Art Unit

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code label Present customer Previous customer or Correspondence address below

Name	26841		
Address	PATENT TRADEMARK OFFICE		
City	State	Zip Code	
COUNTRY	Telephone	Fax	

Name (Print/Type)	Mark P. Bourgeois	Registration No. (Attorney/Agent)	37,782
Signature			Date 8/23/2001

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FEE TRANSMITTAL

for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 245)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	
Examiner Name	
Group Art Unit	
Attorney Docket No.	RH-4)

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	
106	320	206 160 Design filing fee	
107	490	207 245 Plant filing fee	245
108	710	208 355 Reissue filing fee	
114	150	214 75 Provisional filing fee	

SUBTOTAL (1) (\$ 245)

2. EXTRA CLAIM FEES

Total Claims	-20** =	X	=
Independent Claims	- 3** =	X	=
Multiple Dependent			=

Extra Claims Fee from below Fee Paid
 -20** = X =
 - 3** = X =
 =

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Petitions related to provisional applications	
126	240	126 240 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

Complete (if applicable)

Name (Print/Type)	MARK Bovagois	Registration No. (Attorney/Agent)	37,782	Telephone	
Signature					
	Date 8/23/2001				

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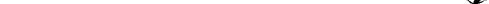
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Date of Deposit August 24, 2001

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